

8553/20

**DECLARATION AND POWER OF ATTORNEY (SOLE)**

As the below named Inventor, I hereby declare that:

My residence, post office address, and citizenship, are as stated on the following page of this document next to my name; and

I believe I am the original, first, and sole Inventor of the subject matter which is claimed and for which a patent is sought under and in accordance with applicable statutes of the United States of America (Title 35, United States Code) on the invention entitled:

A vehicle for determining the climate

the specification of which:

☒ is attached hereto.

☐ was filed \_\_\_\_\_, Application Serial No. \_\_\_\_\_, and was amended \_\_\_\_\_ [if applicable].

I further hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe my invention, as described in the subject Application, was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this Application.

I acknowledge the duty to disclose information which is material to the examination of this Application, as required by statutes of the United States of America and implementing rules (37 CFR §1.56(a)).

I hereby claim foreign priority benefits under 35 U.S.C. §119 and/or §365 of any foreign application or applications for patent or Inventor's certificate listed below. Also, unless otherwise set forth below, there is no foreign application for patent or Inventor's certificate having a filing date before that of the application on which priority is claimed.

**PRIOR FOREIGN & INTERNATIONAL APPLICATION(S)**

| <u>Number</u>  | <u>Country</u>    | <u>Date Filed</u> |
|----------------|-------------------|-------------------|
| 1012138        | the Netherlands   | 25.05.1999        |
| PCT/NL00/00309 | (WO 00/70942) PCT | 10.05.2000        |

**PRIORITY CLAIMED**

| <u>Yes</u>                                    | <u>No</u> |
|---|-----------|
| X   |           |
| X (to extent permitted by law and regulation) |           |

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application or Applications listed below. Insofar as the subject matter of each claim of this application is not disclosed in the prior listed United States Application or Applications in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as required by statute and implementing rules (37 CFR §1.56(a)) which became available between the effective filing date of the prior application and the effective national or PCT international filing date of this application.

Serial No.

Date Filed

Status

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this Application and transact all business in the United States Patent and Trademark Office connected herewith:

Penrose Lucas Albright, Reg. No. 19,082; William B. Mason, Reg. No. 18,120; and Eric S. Albright, Reg. No. 39,087 (Patent Agent); 2306 South Eads Street, P.O. Box 2246, Arlington, Virginia 22202.

Correspondence and telephone communications should be directed to Penrose Lucas Albright, Esq., MASON, MASON & ALBRIGHT, P.O. Box 2246, Arlington, Virginia 22202-0246, Telephone: (703) 979-3242 (local), Facsimile: (703) 979-2526 (local).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Geerts, Franciscus Theodorus Cornelis

Inventor's Full Name (Print or Type)

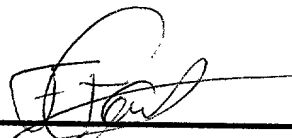
Reedijk 7

Post Office Address (for mail)

Residence Address (if different than above)

the Netherlands

Country of Citizenship



Inventor's Signature

5066 CS Moergestel, the Netherlands

City/County, State/Province

City/County, State/Province

December 13, 2000

Date Signed

(Signature should conform to name as printed or typewritten)

Applicant or Patentee: Franciscus Th. C. Geerts  
 Serial or Patent No.: to be assigned; Attorney's Docket No. 8553/281  
 Filed or Issued: herewith  
 For: A vehicle for determining the climate

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR §1.9(F) AND §1.27(C)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Lely Research Holding AG  
 ADDRESS OF CONCERN: 20 Bützenweg, CH-6300 ZUG  
Switzerland

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this Statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A vehicle for determining the climate by inventor(s) Franciscus Th. C. Geerts described in

- ☒ the specification filed herewith  
☐ Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the Inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*Note: Separate Verified Statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this Application or Patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application, any Patent issuing thereon, or any Patent to which this Verified Statement is directed.

NAME OF PERSON SIGNING: van der Lely, Alexander  
 TITLE OF PERSON OTHER THAN OWNER: Director  
 ADDRESS OF PERSON SIGNING: 44 Jan Witkampstraat, 3065 NA ROTTERDAM  
the Netherlands

SIGNATURE  DATE December 13, 2000

Alexander van der Lely

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